

CITY OF MILWAUKEE

Form CA-43

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
Deputy City Attorney

THOMAS E. HAYES
PATRICK B. McDONNELL
CHARLES R. THEIS
Special Deputy City Attorneys



OFFICE OF CITY ATTORNEY
200 EAST WELLS STREET, SUITE 800
MILWAUKEE, WISCONSIN 53202-3551
TELEPHONE (414) 286-2601
TDD 286-2025
FAX (414) 286-8550

BEVERLY A. TEMPLE
THOMAS O. GARTNER
LINDA ULISS BURKE
BRUCE D. SCHRIMPF
ROXANE L. CRAWFORD
SUSAN D. BICKERT
HAZEL MOSLEY
HARRY A. STEIN
STUART S. MUKAMAL
THOMAS J. BEAMISH
MAURITA F. HOUREN
JOHN J. HEINEN
MICHAEL G. TOBIN
DAVID J. STANOSZ
SUSAN E. LAPPEN
DAVID R. HALBROOKS
JAN A. SMOKOWICZ
PATRICIA A. FRICKER
HEIDI WICK SPOERL
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ELLEN H. TANGEN
JAY A. UNORA
DONALD L. SCHRIEFER
EDWARD M. EHRlich
CHRISTOPHER J. CHERELLA
LEONARD A. TOKUS
MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY

Assistant City Attorneys

April 27, 2001

To the Honorable Common Council
of the City of Milwaukee
Room 205 - City Hall

Re: **Communication from Attorney Laurie A. Eggert, Eggert Law Office, S.C.
for legal fees for Police Officer Mark Lelinski
C.I. File No. 00-S-293/ELO 1503**

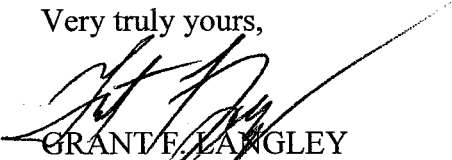
Dear Council Members:

Returned herewith is a document filed by Attorney Laurie Eggert for attorney's fees for representing Police Officer Mark Lelinski. The claim is in the amount of \$679.21 including \$8.21 in disbursements for 6.10 hours of service billed at the rate of \$110.00 per hour. We ask that this matter be introduced and referred to the Committee on Judiciary & Legislation.

We have reviewed this claim and advise that in our opinion, the time spent was reasonable. Legal representation was occasioned by a criminal investigation. No criminal charges were brought against the Police Officer on whose behalf this claim was filed.

As we have advised you under similar circumstances in the past, the Common Council has discretion to reject this claim or to pay it in whole or in part. Sec. 895.35, Stats., *Bablitch and Bablitch v. Lincoln County*, 82 Wis. 2d 574 (1978).

Very truly yours,


GRANT F. LANGLEY
City Attorney


JAN A. SMOKOWICZ
Assistant City Attorney

JAS:enm
Enc.
2276

CITY OF MILWAUKEE

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200 EAST WELLS STREET
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September 5, 2000

BEVERLY A. TEMPLER
THOMAS O. GARTNER
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MIRIAM R. HORWITZ
MARYNELL KEGAN
G. O'SULLIVAN CROWLEY

Assistant City Attorneys

RECEIVED
INTERNAL AFFAIRS
DIVISION
00 SEP 25 AM 10:11

Commander Dale Schunk
Milwaukee Police Department
Internal Affairs Division
6680 North Teutonia Avenue, Rm 325
Milwaukee, WI 53209

Re: C.I. File No. 00-S-293
Communication from EGGERT LAW OFFICE

Dear Commander Schunk:

Enclosed please find a claim filed by attorney Laurie A. Eggert for Attorney's fees incurred during her representation of officers Albanese, et al., albanese/Anderer, Anderer/Meister, Buddenhagen/Trczinski, Charles, Ederesinnnghe, Grant, et al., Hainzl, Hines, et al., Johnson/lopez/luebbe, Koestering/Clark, Lazo, Lelinski, Lintonen/Finley, Meister, Newport/Doyne, Raap, etal, Robinson/Gagliano, Timmerman/Jenkins and Walton/Stein.

Please determine whether these officers were in fact involved in the matter described in Ms. Eggert's claim, and have these officers verify Ms. Eggert's representation. Thank you for your anticipated cooperation in this matter.

Very truly yours,

JAN A. SMOKOWICZ
Assistant City Attorney

JAS:beg
Enclosure
5091

EGGERT LAW OFFICE, S.C.

Attorneys at Law

Laurie A. Eggert
Jonathan Cermele

1840 North Farwell Avenue
Suite 303
Milwaukee, Wisconsin 53202
(414) 276-8750
FAX (414) 276-8906

August 23, 2000

Mr. Ronald D. Leonhardt
Milwaukee City Clerk
800 City Hall
200 East Wells Street
Milwaukee, WI 53202

**RE: MPD Criminal Investigation of PO Mark Lelinski
Allegations Regarding Ms. Lillian Howard
Date of Incident: April 29, 2000
Location of Incident: 2627 W. Lapham Ave.
ELO No.: 1503**

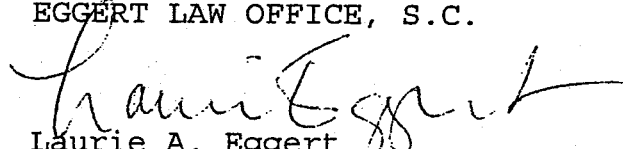
Dear Mr. Leonhardt:

The above-named police officer has retained us to represent him in connection with the above-referenced matter.

Consistent with its policy, the City Attorney's Office has refused to represent him, and as he was performing the duties of his office at the time of the events giving rise to the incident, the claim is hereby made on his behalf for the indicated legal fees. This incident involved the investigation of a battery/DV complaint. Charges will not be issued against the officer. Attached is a copy of the clearance report and an itemization of the time and services rendered.

Sincerely,

EGGERT LAW OFFICE, S.C.


Laurie A. Eggert
Attorney at Law

CITY CLERK
LILLIAN HOWARD
'00 AUG 23 PM 3:33
JC/LAE/lai
LELINSKI DM
CITY ATTORNEY

4/26/2001
O.K.
JAS
Letter # 2276

EGGERT LAW OFFICE, S.C.

Attorneys at Law

Laurie A. Eggert
Jonathan Cermele

1840 North Farwell Avenue
Suite 303
Milwaukee, Wisconsin 53202
(414)276-8750
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August 23, 2000

Mr. Ronald D. Leonhardt
Milwaukee City Clerk
800 City Hall
200 East Wells Street
Milwaukee WI 53202

RE: MPD Criminal Investigation
Regarding: PO Mark Lelinski
Date of Incident: April 29, 2000
Location of Incident: 2627 W. Lapham Ave.

Professional services

	<u>Hours</u>
5/26/00 Telephone call from client; open file; telephone call to IAD; memo to file.	0.40
5/31/00 Telephone call from client.	0.20
6/1/00 Office conference with client.	1.10
6/2/00 Review offense report; telephone call to IAD; telephone call to client.	0.60
6/6/00 Telephone call to IAD.	0.30
6/7/00 Review of file; meeting with client at IAD; attend client's statement to IAD; meeting with client; travel; memo to file.	2.40
6/8/00 Discussion with IAD.	0.20
6/19/00 Telephone call from IAD; telephone call to client; correspondence to MPD Open Records; correspondence to client.	0.40

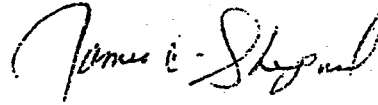
	<u>Hours</u>	
8/17/00 Review of correspondence from MPD Open Records; correspondence to client; close file.	0.50	
		<u>Amount</u>
For professional services rendered	6.10	\$671.00
Additional charges:		
8/19/00 MPD Open Records request		8.21
Total costs		<u>\$8.21</u>
Total amount of this bill		<u>\$679.21</u>
Balance due		<u><u>\$679.21</u></u>

(Rate: \$110.00 per hour)

CONCLUSION:

On Friday, June 16, 2000, this incident was reviewed in the office of the District Attorney. It was the determination of Assistant District Attorney Michael MAHONEY that a charges of Misconduct in Public Office would not be preferred against Officer LELINSKI. In making his decision, Assistant DA MAHONEY felt the behavior of Officer LELINSKI, if true, did not rise to the level of a criminal offense. It is for said reason that this incident will be cleared as warrant refused.

Respectfully submitted:



James C. SHEPARD
Captain of Police
CIU/IAD, Day Shift

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

OCTOBER 26, 2000

TO: PO MARK LELINSKI
DISTRICT SIX

RE: Receipt of Legal Services from Law Firm of
Attorney

Attorney LAURIE EGGERT has made a claim with the City, indicating the attached was provided with legal services arising out of one of the following situations:

- 1) An incident occurring on APRIL 19, 2000
- 2) A citizen's complaint made by
- 3) A police shooting incident occurring on

Is this information correct?

YES NO

Did you receive legal representation
in this matter?

YES NO

Your signature: _____

Mark T. Lelinski

Print your name: _____

MARK T. LELINSKI

Upon completion, please return this memorandum to the Internal Affairs Division at the Police Academy (Room 325) as soon as possible.

Dale T. Schunk

DALE T. SCHUNK
Commander of Police
Internal Affairs Division

DTS:dnp